

Business Committee

Meeting Venue:
Committee Room 4 – Ty Hywel

Meeting date:
14 May 2012

Meeting time:
13:15

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



For further information please contact:

Aled Elwyn Jones (Clerk)
Committee Clerk
029 2089 8009

Agenda

1. Apologies & announcements

2. Amending Standing Orders: Private Bills (Pages 1 – 67)

BC(4)15–12 Paper 1
BC(4)15–12 Paper 1 Annex A
BC(4)15–12 Paper 1 Annex B
BC(4)15–12 Paper 1 Annex C

- 2 (i) **Introduction of Private Bills (SO 26A.1 – 26A.14)**
- 2 (ii) **Objection Period (SO 26A.15 – 26A.24)**
- 2 (iii) **Private Bill Committees (SO 26A.25 – 26A.36)**
- 2 (iv) **Initial Consideration (SO 26A.37 – 26A.44)**
- 2 (v) **Detailed Committee Consideration (SO26A.45 – 26A.70)**

- 2 (vi) Detailed Assembly Consideration (SO26A.71 – 26A.83)**

- 2 (vii) Final Stage and Reconsideration of Private Bills Passed (SO26A.84 – 26A.94)**

- 2 (viii) Amendments to Private Bills (SO26A.95 – 26A.104)**

- 2 (ix) Change of Promoter and Her Majesty's and Duke of Cornwall's Consent (SO26A.105 – 26A.112)**

- 2 (x) Financial Resolutions (SO26A.113 – 26A.119)**

- 2 (xi) Notification of Royal Assent to Private Acts of the Assembly and Fall, Rejection or Withdrawal of Private Bills (SO26A.120 – 26A.123)**

- 2 (xii) Consequential Changes to Standing Orders (SO15.1)**

To: Business Committee

From: Business Committee Secretariat

Date: May 2012

Amending Standing Orders: Private Bills

Purpose

1. This paper introduces the draft Standing Orders for Private Bills found in the Annexes and outlines the approach taken by the secretariat. A flowchart showing the process is at Annex A, and the draft Standing Orders themselves at Annex B.

Background

2. Section 111(3) of the Government of Wales Act 2006 permits the Assembly's Standing Orders to make provision for Private, Hybrid and Consolidation Bills which are different to those for Public Bills.
3. The issue of separate Standing Orders for Private, Hybrid and Consolidation Bills was not addressed at the time of the Review of Standing Orders in 2010 - 11. Such Bills are more likely to come forward now that we have moved to Part 4 of the Government of Wales Act 2006
4. As a result, work has been underway since the summer on drafting Standing Orders for these types of Bills.
5. The lodging of the University of Wales: Trinity Saint David Bill at Westminster in December 2011, its subsequent withdrawal and indications that the University may wish to introduce the Bill in the Assembly gave greater urgency to the drafting of Standing Orders for Private Bills in particular, and this work stream was therefore prioritised.

University of Wales: Trinity Saint David Bill

6. Private Bill procedure is not straightforward and needs to be appropriate to all purposes for which private legislation can be sought. In due course, we may require procedures to deal with more complicated private legislation (for example, relating to construction projects). The University of Wales: Trinity St David Bill is more straightforward and we have focussed our efforts on developing a procedure to handle it and others of its type.

7. Assuming the University of Wales: Trinity St David Bill comes forward, we would envisage revisiting, and potentially extending, the capacity of the procedure after that process has been completed so as also to address any lessons learned.

The nature of Private Bills

8. A Private Bill is a Bill promoted by individuals or organisations outside the Assembly (for example, local authorities or companies) for the purpose of obtaining powers for themselves that are in excess of, or in conflict with, the general law.
9. Private Bills differ from Public Bills in that they are introduced by a private individual or body outside the legislature and involve measures sought in the private interests of the promoter, to which others may object. Public Bills are introduced by the government, individual Members, or committees.
10. Making the case for a Private Bill is therefore in the hands of a promoter and the traditional approach to private legislation assumes that making the case against the Bill can be left to those affected by it – the objectors. Private Bill proceedings are therefore adversarial in nature.
11. Given that only AMs can participate in plenary sessions, promoters and objectors must feed their evidence into the process through committees. There is therefore an even greater emphasis on Committee scrutiny than is the case for Public Bills. The Committee stage is very much a quasi-judicial one and the process itself can be subject to challenge in the courts.

Proposed Procedure

12. The flowchart at Annex A depicts the essential elements of the procedure that the draft Standing Orders at Annex B would put in place. The main features of the procedure are outlined below.
13. These draft Standing Orders are in line with the approach agreed by Business Committee on 10 January, and borrow from the procedures used in other Parliaments including Westminster and the Scottish Parliament, while also seeking to develop a Welsh solution that is simpler, builds on best practice elsewhere and is, as far as is possible, consistent with the Assembly's procedures for Public Bills.

Key features of the proposed procedure

14. The procedure as drafted gives a central role to the Private Bill Committee in hearing objections, considering the general principles, and making amendments to the Bill. The procedure by which the general principles are

deemed agreed (para. 30 below) puts the onus firmly on the committee, though its conclusions can be over-ruled by the Assembly. The Assembly in plenary also has a more limited amending role than is the case for public Bills under Standing Order 26.

15. This procedure reflects the quasi-judicial nature of Private Bill proceedings, and seeks to ensure that, wherever possible, the key decisions are taken by Members who have given impartial consideration to all of the arguments and evidence submitted by the promoter and objectors.

i) Introduction of a Private Bill (SO 26A.3 – 26A.14)

16. The first stage in the suggested process is for the Promoter to submit the Bill and accompanying documents to the Presiding Officer prior to introduction seeking her approval for the Bill to be introduced. The Bill cannot be introduced without the Presiding Officer's agreement. This is similar to the process for public Bills.
17. A Private Bill must be introduced by being laid by or on behalf of the promoter. On its introduction, a Private Bill must be in its proper form, and be accompanied by a statement by the Presiding Officer indicating that the provisions of the Bill would be within the legislative competence of the Assembly. It must also be accompanied by an Explanatory Memorandum.
18. The Assembly Commission may set a fee to be charged to the promoter for the introduction of a Private Bill.

ii) Objection Period (SO 26A.15 – 26A.24)

19. Once a Private Bill is laid, the Promoter must publish in relevant publications a notice stating, amongst other things, the general effect of the Bill, where it may be inspected, and how objections may be made.
20. On the day that such a notice is published, a forty working day period for making objections starts. No further proceedings may be taken on the Private Bill until the end of this forty working day period.
21. To be admissible, an objection must comply with any guidance published by the Presiding Officer and must specify how the objector's interests would be adversely affected by the Bill; i.e. that his or her property or interests would be affected by the Private Bill.
22. Provision is made for late objections to be accepted, should the Presiding Officer be satisfied that certain criteria have been met.

iii) Initial Consideration (SO 26A.37 – 26A.44)

23. Once a Private Bill has been introduced, the Business Committee must refer the Bill to a Private Bill Committee ('the committee'). We envisage that this would be a bespoke committee established under SO 16.5 to consider whether the Bill should proceed as a Private Bill. In doing so the committee must consider:
- whether the provisions of the Bill make it appropriate for it to be considered in accordance with the Standing Order on Private Bills; and
 - whether the accompanying documents laid in accordance with Standing Order are adequate to allow the committee to make such a decision.
24. In deciding whether the provisions of the Bill make it appropriate for it to be considered as a Private Bill, the committee will have particular regard to the extent to which its provisions affect issues of public policy, the extent to which its provisions amend or repeal other legislation, the size of the area to which it relates and the number of interests which it affects.
25. Should the committee feel that the documentation is inadequate to allow proper scrutiny of the Bill at this stage, it may request that the promoter provides such further information as it considers necessary.
26. In coming to its decision, the committee may have regard to the nature of the objections that have been received, though it will not consider their individual merits at this stage.
27. Once the committee has reported, the Business Committee may propose that the Assembly agrees that the Bill may proceed as a Private Bill. Should the motion be passed, the Bill is referred back to the Private Bill Committee for Detailed Consideration. Should the motion not be passed, the Bill falls.

iv) Detailed Committee Consideration (SO26A.45 – 26A.70)

28. At Detailed Consideration, the Private Bill Committee considers the objections that have been submitted and hears evidence from both the objectors and from the promoter. Objectors and promoters may be accompanied by their legal representatives.
29. The promoter and any objectors that the committee considers have substantial grounds for objection have a right to be heard before the committee. It is up to the committee to decide what constitutes 'substantial grounds'. A member of the Welsh Government also has a right to be heard. The committee may also hear evidence from such other persons as it considers appropriate.

30. The committee must lay its report on the general principles of the Bill, and on the objections received before the Assembly. Within five working days of the report being laid, any Assembly Member may propose that the Bill proceed no further. Should such a motion be passed, the Bill falls. Should such a motion be rejected, or should no such motion be tabled, the general principles of the Bill are deemed agreed by the Assembly. This procedure allows the Assembly to over-rule the Private Bill Committee's recommendations on the general principles of a Private Bill, while maintaining the committee's pre-eminence in considering the merits of the Private Bill.
31. No earlier than 25 days after tabling its report, and if the general principles are deemed agreed by the Assembly, the committee may consider amendments to the Private Bill. Amendments are disposed of in the same way as for Stage 2 of Public Bills.

v) Detailed Assembly Consideration (SO26A.71 – 26A.83)

32. Detailed Assembly Consideration is considered by the Assembly in plenary.
33. In addition to the usual criteria for Public Bills, amendments at this stage are only admissible if they are to clarify the wording of a provision of a Private Bill, give effect to commitments given on behalf of the promoter at Detailed Committee Consideration, or give effect to any recommendations made by the committee in its report at Detailed Committee Consideration (SO26A.80).

vi) Final Stage (SO26A.84 – 26A.88)

34. The Final Stage is taken in Plenary and consists of a debate and vote on a motion that the Private Bill be passed.

Private Bill Committees

35. Due to the nature of Private Bill proceedings, and the greater possibility of legal challenge to a decision of the Assembly, it is proposed that the membership of Private Bill Committees is subject to certain restrictions. Such restrictions are common in other Parliaments.
36. Any Member who is to be nominated as a member of a Private Bill Committee must inform the Business Committee of any interest, including an interest registered under Standing Order 2, that may be relevant to the consideration of the Private Bill. Information about interests other than those required to be registered under Standing Order 2 must then be published alongside the motion to determine the membership of the Private

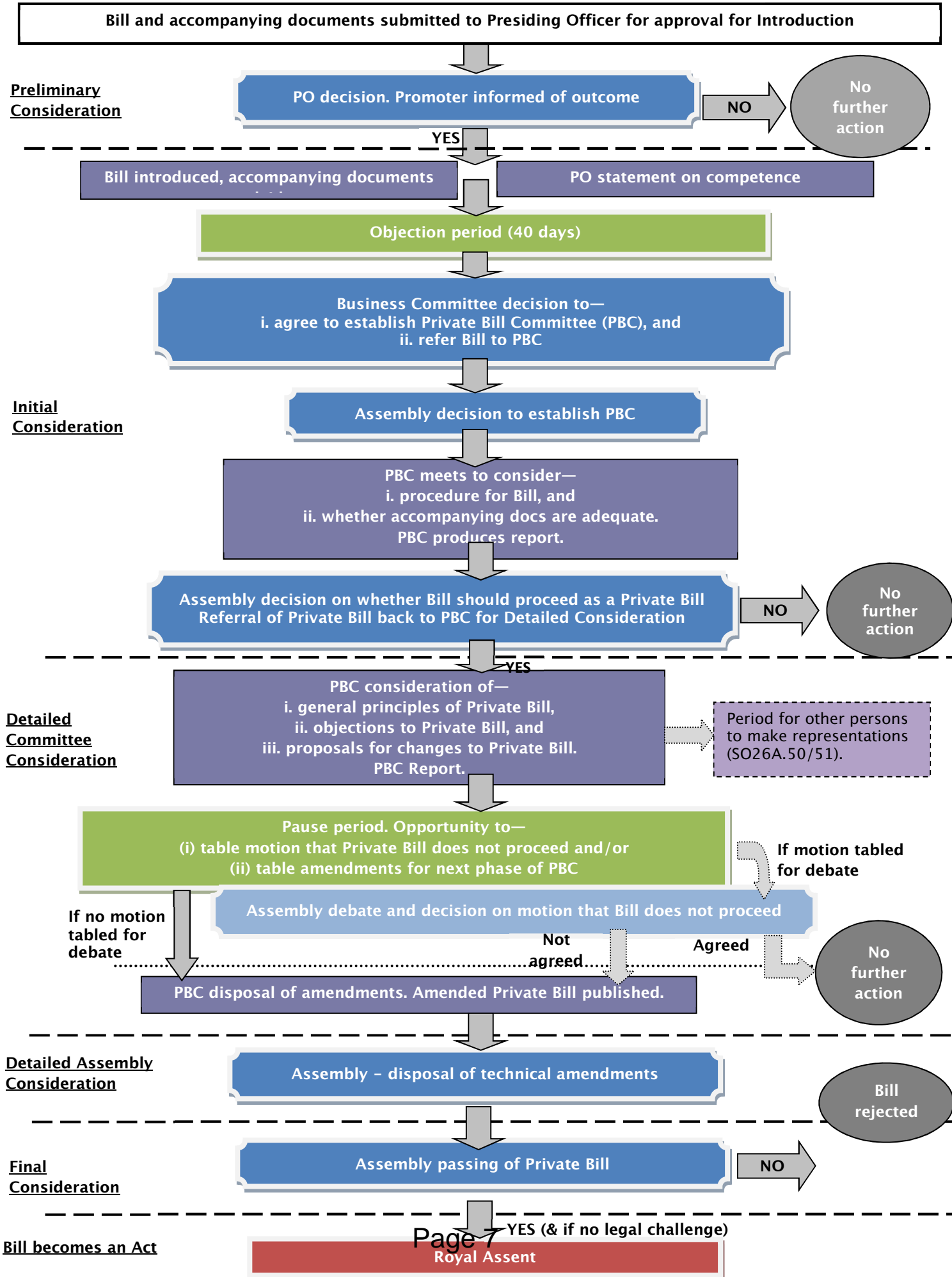
Bill Committee.

37. No Member who has a registered interest under Standing Order 2 that may be relevant to the consideration of the Private Bill may be a member of the Private Bill Committee.
38. Due to the unique nature of the Private Bill procedure, Members of a Private Bill Committee will be required to undertake a training course before undertaking their duties.
39. Since the Private Bill Committee will need to operate in a quasi-judicial manner there will be other considerations for Members such as making a declaration to act impartially and the need to hear all of the evidence provided.

Action

40. Business Managers are invited to consider and **agree in principle** the proposed draft Standing Orders at Annex B.

PRIVATE BILL PROCESS FLOWCHART



Standing Order 26A – Private Acts of the Assembly

Item 2 (i): Introduction of Private Bills (SO 26A.1 – 26A.14)

Page 8

<p>Standing Order 26A – Private Acts of the Assembly</p>	<p>New Standing Order title</p>
<p>Private Bills</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.1 For the purposes of Standing Order 26A, a Private Bill is a Bill introduced for the purpose of obtaining for an individual person, body corporate or unincorporated association of persons (“the promoter”) particular powers or benefits in excess of, or in conflict with, the general law.</p>	<p>Introduce new Standing Order This SO sets out the meaning of ‘Private Bill’ and ‘the promoter’. Although there is nothing to prevent a Member from being the promoter of a Private Bill, it is envisaged that, in the vast majority of cases, the promoter will be someone from outside the Assembly. Where a Member wanted to be the promoter of a Private Bill, they would do so as a private individual and not in their capacity as an Assembly Member.</p>
<p>26A.2 Standing Order 26A applies to any Private Bill other than one whose provisions are intended to authorise or facilitate any construction works or to authorise the compulsory acquisition of any estate or interest in or over land. For this purpose the transfer of any estate or interest in or over land forming part of the assets of a</p>	<p>Introduce new Standing Order This SO sets out the extent of the application of Standing Order 26A, i.e. that it does not apply to a Private Bill that relates to construction works or compulsory acquisition of land.</p>

<p>person or body exercising functions of a public nature to another person or body also exercising functions of a public nature is not to be regarded as involving the compulsory acquisition of such estate or interest.</p>	<p>In due course, we may require procedures to deal with the most complicated private legislation (for example, relating to construction projects). However, other types of Private Bills, such as the University of Wales: Trinity St David Bill, are more straightforward and we have focussed our efforts on developing a procedure to handle it and others of its type.</p> <p>Assuming the University of Wales: Trinity St David Bill comes forward, we would envisage revisiting and potentially extending the capacity of the procedure after that process has been completed so as also to address any lessons learned.</p>
<p>Permission to Introduce a Private Bill</p>	<p>New sub-heading</p> <p>Follows format of sub heading in SO26.</p>
<p>26A.3 Prior to introduction in accordance with Standing Order 26A.9, a Private Bill and the accompanying documents required by Standing Order 26A.12 must be submitted by the promoter to the Presiding Officer for a decision on whether to grant permission to introduce the Bill.</p>	<p>New Standing Order</p> <p>This SO requires the promoter of a Private Bill to submit the Bill and accompanying documents to the Presiding Officer, prior to introduction, for a decision on whether to grant permission to introduce the Bill.</p>
<p>26A.4 The Presiding Officer must notify the promoter of his or her decision under Standing Order 26A.3 and, where permission is not given, must give the promoter reasons for that decision.</p>	<p>New Standing Order</p> <p>This SO requires the Presiding Officer to notify the promoter of his or her decision about permission to introduce the Private Bill. Where the</p>

	Presiding Officer decides not to give permission, he or she must give the promoter reasons for that decision.
26A.5 A Private Bill must not be introduced without the prior agreement of the Presiding Officer.	New Standing Order This SO requires the promoter to obtain the agreement of the Presiding Officer before being able to introduce a Private Bill.
Fees	New sub-heading
26A.6 The Commission may charge fees for the introduction of a Private Bill, and for any subsequent stages of its consideration set out in Standing Order 26A.	New Standing Order This SO allows the Assembly Commission to charge the promoter fees. The Standing Order leaves it open to the Assembly Commission to determine whether such fees should be charged, and the level at which the fees should be set. Equally, the Commission has the option either of charging a ‘one-off’ fee at introduction or of charging a fee for each stage. The progress of a Private Bill through the Assembly could be held up if the promoter does not pay any fee in a timely manner.
Form and Introduction of Private Bills	New sub-heading Follows format of sub heading in SO26.
26A.7 A Private Bill may be introduced on a working day in a sitting	New Standing Order

<p>week.</p>	<p>Replicates provision in Standing Order 26 for Public Bills, removing references to Standing Orders relevant only to Member and Committee Bills.</p>
<p>26A.8 A Private Bill must be introduced by being laid by or on behalf of the promoter.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills but enables a Private Bill to be laid by or on behalf of the promoter. Standing Order 15.1(ii) will need to be amended slightly to provide for this. This change is shown at the ‘consequential changes’ end of this grid.</p>
<p>26A.9 A Private Bill must not be laid unless it is in proper form in accordance with any determinations made by the Presiding Officer.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment, i.e. reference to ‘Bill’ changed to ‘Private Bill’.</p>
<p>26A.10 A Private Bill must on its introduction be accompanied by a statement in English and Welsh by the Presiding Officer which must:</p> <ul style="list-style-type: none"> (i) indicate whether or not the provisions of the Bill would be, in his or her opinion, within the legislative competence of the Assembly; and (ii) indicate any provisions which, in his or her opinion, would not be within the legislative competence of the Assembly and the reasons for that opinion. 	<p>New Standing Order Replicates provision in Standing Orders for Public Bills, with appropriate amendment.</p>

<p>26A.11 A Private Bill must be introduced in both English and Welsh except when not doing so is in accordance with any determinations made by the Presiding Officer under Standing Order 26A.9.</p>	<p>New Standing Order Replicates provision in Standing Orders for Public Bills, with appropriate amendments.</p>
<p>Documentation to Accompany a Private Bill</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.12 At the same time as the promoter introduces a Private Bill, he or she must also lay an Explanatory Memorandum, in English and Welsh, which must:</p> <ul style="list-style-type: none"> (i) state that, in the view of the promoter, the provisions of the Private Bill would be within the legislative competence of the Assembly; (ii) set out the reasons why the provisions of the Bill make it appropriate for it to proceed as a Private Bill, having particular regard to the criteria in Standing Order 26A.38; (iii) set out the objectives of the Private Bill; (iv) set out whether alternative ways of achieving the objectives were considered and, if so, why the approach taken in the Private Bill was adopted; (v) set out the consultation that was undertaken on: <ul style="list-style-type: none"> (a) the objectives of the Private Bill and the ways of achieving them and; 	<p>New Standing Order Replicates provision in Standing Orders for Public Bills, except with regard to setting out provisions that include the making of subordinate legislation. Two additional points have been included that require the promoter to set out the reasons why the Bill should proceed as a Private Bill and to include a promoter’s statement (SO26A.12(vii)).</p>

<p>(b) the detail of the Private Bill, together with a summary of the outcome of that consultation;</p> <p>(vi) summarise objectively what each provision of the Private Bill is intended to do (to the extent that it requires explanation or comment) and give other information necessary to explain the effect of the Bill;</p> <p>(vii) include a Promoter’s Statement that sets out:</p> <ul style="list-style-type: none"> (a) in the case of a Private Bill that contains provision which will affect the property or the contractual rights or duties of any person other than the promoter, details of any notification of the proposed provision given by the promoter to such persons or classes of person whose property or contractual rights or duties will be affected and of any response received; (b) in the case of a Private Bill where the promoter is a body corporate or an unincorporated association of persons, particulars of the formal decision of that body or association to promote the Private Bill and confirmation that the decision in question was made in accordance with the constitution of that body or association; (c) in the case of a Private Bill that contains provision to confer powers upon or modify the constitution of any 	
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<p>body corporate or unincorporated association of persons, other than the promoter, details of any notification of the proposed provision given by the promoter to that body corporate or unincorporated association of persons and of any response received.</p>	
<p>Notification of the Introduction of a Private Bill</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.13 As soon as a Private Bill has been introduced, the promoter must, taking into account any guidance published by the Presiding Officer, publicise appropriately, including publishing in at least one newspaper circulating throughout Wales (or, if the Private Bill relates only to one area of Wales, throughout that area), a notice stating:</p> <ul style="list-style-type: none"> (i) the general effect of the Private Bill; (ii) that the Private Bill may be inspected at the Assembly and at one or more other places in Wales including, in the case of a Private Bill that relates only to one area of Wales, a place within that area; (iii) that persons who believe their interests would be adversely affected by the Private Bill can make an objection to the Presiding Officer within the period of 40 working days beginning on the day when the notice is first published in a newspaper (“the objection period”); 	<p>New Standing Order</p> <p>This SO requires the promoter to make particular arrangements to notify the public of the introduction of a Private Bill and how to make an objection to that Bill.</p> <p>The promoter must take into account guidance published by the Presiding Officer in deciding how to publicise the notice, but must always include publishing in at least one national or local newspaper, as appropriate. The subsequent SO forces the promoter to demonstrate to the PO how they have complied with this requirement.</p> <p>A 40-day period for objections opens upon the publication of this notice by the promoter.</p>

<ul style="list-style-type: none"> (iv) how to submit an objection and the information to be included in that objection, having regard to Standing Order 26A.18; (v) that an objection may either request that the Private Bill not be approved or that changes be made to the Private Bill before it is approved; (vi) that the person making an objection must comply with any guidance issued by the Presiding Officer in relation to making an objection. 	
<p>26A.14 As soon as the promoter has complied with the requirements of Standing Order 26A.13, the promoter must give written notice of that fact to the Presiding Officer, giving particulars of:</p> <ul style="list-style-type: none"> (i) how those requirements were complied with; and (ii) the arrangements made by the promoter for ensuring that the Private Bill was able to be inspected (other than at the Assembly) in accordance with Standing Order 26A.13(ii). 	<p>New Standing Order</p> <p>This SO requires the promoter to inform the Presiding Officer, in writing, that the requirements to notify the public of the introduction of the Private Bill have been complied with. The promoter must give details of how this has been done.</p>

Item 2 (ii): Objection Period (SO 26A.15 – 26A.24)

<p>Objections</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.15 An individual person who, or a body corporate or unincorporated association of persons that, considers that their interests would be adversely affected by a Private Bill introduced in the Assembly (an “objector”) may make an objection to the Presiding Officer in writing, in accordance with notice given under Standing Order 26A.13, during the objection period specified in Standing Order 26A.13(iii).</p>	<p>New Standing Order This SO provides for a person, body corporate or unincorporated association of persons to object to a Private Bill if they feel it would adversely affect their interests. The SO requires that any objection must be made in accordance with the notice given under Standing Order 26A.13.</p>
<p>26A.16 For the purpose of Standing Order 26A.15, a member of the government may also be an objector.</p>	<p>New Standing Order This SO is linked to SO 26A.15 and provides for a member of the government to be an objector.</p>
<p>26A.17 The Presiding Officer must rule on whether an objection is admissible.</p>	<p>New Standing Order This SO requires the Presiding Officer to rule on the admissibility of objections. This SO is linked to SO26A.18. In making a ruling under this SO, the Presiding Officer is not required to judge the validity of the objection, only that the objection complies with the criteria in SO26A.18.</p>
<p>26A.18 An objection is admissible only if it:</p>	<p>New Standing Order</p>

<ul style="list-style-type: none"> (i) complies with any guidance issued by the Presiding Officer under Standing Order 6.17 in relation to making an objection; (ii) sets out the nature of the objection; (iii) identifies the provisions of the Private Bill that give rise to the objection; (iv) specifies how the objector’s interests would be adversely affected by the Private Bill. 	<p>This SO sets out the criteria for admissibility of objections. This SO is linked to SO26A.17.</p>
<p>26A.19 The Presiding Officer must notify the objector of his or her decision under Standing Order 26A.17 and, where an objection is ruled inadmissible, must give the objector reasons for that decision.</p>	<p>New Standing Order</p> <p>This SO requires the Presiding Officer to notify the objector of his or her decision in relation to the admissibility of an objection. Where the Presiding Officer has ruled an objection inadmissible, he or she is required to give the objector reasons for that decision.</p>
<p>26A.20 After the objection period has expired, the Clerk must publish all admissible objections.</p>	<p>New Standing Order</p> <p>This SO requires the Clerk to publish all admissible objections once the objection period has ended.</p>
<p>26A.21 If the Presiding Officer receives an objection after the expiry of the objection period but before the first meeting of Detailed Committee Consideration, and that objection is accompanied by a statement by the objector explaining the delay in submitting the objection, the Presiding Officer must decide whether he or she is satisfied that:</p>	<p>New Standing Order</p> <p>This SO relates to objections received after the objection period has ended (‘late objections’). It requires the Presiding Officer to satisfy himself/herself of the matters listed in (i) to (iv).</p>

<ul style="list-style-type: none"> (i) the objection is admissible, in accordance with Standing Order 26A.18; (ii) the objector had good reason for not making the objection within the objection period; (iii) the objector has made the objection as soon as reasonably practicable after the expiry of that period; and (iv) consideration of such an objection would not be unreasonable having regard to the rights and interests of objectors and the promoter. 	
<p>26A.22 If the Presiding Officer is so satisfied:</p> <ul style="list-style-type: none"> (i) he or she must notify the objector of his or her decision; (ii) the Clerk must publish the objection; and (iii) the committee established in accordance with Standing Order 26A.25 must give consideration to the objection. 	<p>New Standing Order</p> <p>This SO requires the Presiding Officer and the Clerk to take certain action if he or she is satisfied regarding the admissibility of the late objection.</p>
<p>26A.23 If the Presiding Officer is not so satisfied, he or she must:</p> <ul style="list-style-type: none"> (i) notify the objector of his or her decision, and (ii) give the objector reasons for that decision. 	<p>New Standing Order</p> <p>This SO requires the Presiding Officer to take certain action if he or she is not satisfied regarding the admissibility of a late objection.</p>
<p>26A.24 An objection may be withdrawn by the objector, in accordance with any guidance issued by the Presiding Officer.</p>	<p>New Standing Order</p> <p>This SO enables an objector to withdraw their objection, in accordance with any guidance issued by the Presiding Officer.</p>

Item 2 (iii): Private Bill Committees (SO 26A.25 - 26A.36)

<p>Private Bill Committees</p>	<p>New sub-heading</p> <p>Follows format of sub heading in SO26.</p>
<p>26A.25 After a Private Bill has been introduced, and once the objection period specified in Standing Order 26A.13(iii) has ended, the Assembly must consider a motion to establish a Private Bill Committee, in accordance with Standing Order 16.5.</p>	<p>New Standing Order</p> <p>This SO relates to the establishment of a Private Bill Committee.</p> <p>Following the introduction of the Private Bill, and once the objection period has ended, the Assembly is required to consider a motion, tabled by the Business Committee, to establish a Private Bill Committee to consider the Bill.</p>
<p>26A.26 Standing Orders 17.3 and 17.7 apply to a Private Bill Committee except that it must consist of no fewer than four members.</p>	<p>New Standing Order</p> <p>This SO relates to the membership of the Private Bill Committee. SO17.3 provides for the Assembly to consider a motion tabled by the Business Committee to agree the membership and chair of each committee.</p> <p>SO17.7 applies where a motion under SO 17.3 is not agreed. It provides for the Business Committee to table a motion to agree the membership of committees, where places on those committees are allocated in accordance with the Government of Wales Act 2006 (i.e. the d'Hondt formula).</p>

	<p>SOs 17.3 and 17.7 do not provide for a minimum number of committee members, and so, this draft SO states that there must be no fewer than four members of a Private Bill Committee.</p>
<p>26A.27 Any Member who has, or may be expecting to have, or to the Member’s knowledge, the Member’s partner or any dependent child has, or may be expecting to have, an interest required to be registered by Standing Order 2 that may be seen to prejudice the impartial consideration of a Private Bill, must not be a member of the committee established to consider that Bill.</p>	<p>New Standing Order</p> <p>This SO prevents any Member from being a member of committee established to consider a particular Private Bill where that Member (or to that Member’s knowledge, the Member’s partner or dependent child) has or may be expecting to have an interest that is required to be registered under SO2 that may be seen to prejudice the Committee’s impartial consideration of the Private Bill.</p>
<p>26A.28 Any Member whose name is proposed for membership of a Private Bill Committee must inform the Business Committee of any interest of the kind referred to in Standing Order 26A.27 and also of any interest, other than such an interest, that he or she has or may be expecting to have, or which, to the Member’s knowledge, the Member’s partner or any dependent child of the Member has or may be expecting to have that, in the opinion of that Member, may be seen to prejudice the impartial consideration of the Private Bill.</p>	<p>New Standing Order</p> <p>Under this SO, any Member whose name is proposed for membership of a Private Bill Committee must inform the Business Committee of any interest (including an interest that is not required to be registered under SO2) that he or she (or their partner or dependent child) has or may be expecting to have that may be seen to prejudice the impartial consideration of the Private Bill.</p>
<p>26A.29 For the purpose of Standing Orders 26A.27 and 26A.28, the meanings of “partner” and “dependent child” are as defined in paragraph 4 of the Annex to Standing Order 2.</p>	<p>New Standing Order</p> <p>This SO clarifies the meaning of “partner” and “dependent child”, used in the previous SO, and makes their definitions consistent with those</p>

	under Standing Order 2.
26A.30 Any information provided in accordance with Standing Order 26A.28 in relation to a Member whose name is proposed for membership of a Private Bill Committee must be published at the same time as the motion to establish that committee.	<p>New Standing Order</p> <p>This SO requires any information provided under SO 26A.28 to be published at the same time as the motion to establish the Private Bill Committee, so that the Assembly is aware of any relevant interest before electing Members to the committee.</p>
26A.31A Each member of a Private Bill Committee must, before the first meeting of that committee, complete a course of relevant training as determined by the Presiding Officer.	<p>New Standing Order</p> <p>This SO requires members of a Private Bill Committee to undergo relevant training before undertaking their duties.</p>
26A.32 Each member of a Private Bill Committee must, at the first meeting of that committee, agree to act impartially, in that Member’s capacity as a member of that committee, and to base decisions solely on the evidence and other information provided to that committee.	<p>New Standing Order</p> <p>This SO requires each member of a Private Bill Committee to agree to act impartially as a member of the committee and to base decisions solely on the evidence and information provided.</p>
26A.33 Members of a Private Bill Committee must, other than in exceptional circumstances, attend all meetings of a Private Bill Committee.	<p>New Standing Order</p> <p>This SO requires members of a Private Bill Committee to attend all meetings of that committee, other than in exceptional circumstances. This is important because part of the committee’s role is quasi-judicial in that it involves the hearing of evidence from the promoter of the Private Bill and any objectors. Non-attendance by members may result in the committee having to re-hear evidence already presented</p>

	to it (see SO26A.34 below).
<p>26A.34 A member of a Private Bill Committee may not participate in any proceedings on a Private Bill unless:</p> <ul style="list-style-type: none"> (i) all evidence relating to that Private Bill given orally during proceedings of the committee has been given in the presence of the Member, or (ii) with the agreement of the promoter and any objector to whom that evidence relates, that Member has viewed a recording or read a transcript of all evidence that was not given in the presence of the Member. 	<p>New Standing Order</p> <p>This SO prevents a member of a Private Bill Committee from participating in proceedings on a Private Bill unless they have been present for all oral evidence, or (with the permission of the promoter and any objector to whom that oral evidence relates) they have viewed a recording of the evidence or read the relevant transcript(s).</p>
<p>26A.35 Standing Orders 17.12, 17.17 and 17.48 do not apply to a Private Bill Committee.</p>	<p>New Standing Order</p> <p>This SO disapplies the following Standing Orders:</p> <p>SO17.12 -Member ceasing to be a member of a committee on joining or leaving a political group;</p> <p>SO17.17 - establishment of sub committees;</p> <p>SO17.48 - substitution at committee meetings.</p>
<p>26A.36 Standing Order 17.49 does not apply to a Private Bill Committee, except when the committee is considering proceedings on amendments.</p>	<p>New Standing Order</p> <p>This SO disapplies SO17.49 (participation in a committee meeting by Members who are not members of the committee), except when the committee is considering proceedings on amendments. Where this is</p>

	<p>the case, Members who are not members of the committee but who have tabled amendments may participate in proceedings on those amendments with the permission of the Chair, but may not vote. Similar provision is made for proceedings on amendments during Stage 2 proceedings on Public Bills.</p>
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Item 2 (iv): Initial Consideration (SO 26A.37 – 26A.44)

Page 23

<p>Initial Consideration</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.37 Once the objection period specified in Standing Order 26A.13(iii) has ended, the Business Committee must refer a Bill laid in accordance with Standing Order 26A.8 to the Private Bill Committee established in accordance with Standing Order 26A.25 (“the committee”), to consider and report on whether the Bill should proceed as a Private Bill.</p>	<p>New Standing Order This SO requires the Business Committee to refer a Bill laid under SO 26A to a Private Bill Committee to consider and report on whether the Bill should proceed as a Private Bill.</p>
<p>26A.38 In considering whether a Bill should proceed as a Private Bill, the committee must consider whether:</p> <ul style="list-style-type: none"> (i) the accompanying documents laid in accordance with Standing Order 26A.12 are, in the opinion of the committee, adequate to allow proper scrutiny of the Bill; 	<p>New Standing Order This SO sets out some of the matters the committee should have particular regard to when considering whether the Bill should be given leave to proceed as a Private Bill. The Committee may also have regard to any other matter it considers</p>

<p>(ii) adequate consultation was undertaken by the promoter prior to introduction of the Bill;</p> <p>(iii) the provisions of the Bill make it appropriate for it to be considered as a Private Bill in accordance with Standing Order 26A, having particular regard to:</p> <p>(a) the extent to which its provisions affect issues of public policy;</p> <p>(b) the extent to which its provisions amend or repeal other legislation;</p> <p>(c) the size of the area to which it relates;</p> <p>(d) the number and nature of the interests that it affects.</p>	<p>relevant.</p> <p>As part of its consideration, the Committee may seek such information as it considers necessary from persons who may have an interest in the matter.</p>
<p>26A.39 If it appears to the committee that the accompanying documents are not adequate to enable the committee to report in accordance with Standing Order 26A.37, it may, before reporting on whether the Bill should proceed as a Private Bill, allow the promoter such reasonable period as the committee considers appropriate to provide any further information the committee considers necessary ("supplementary accompanying documents").</p>	<p>New Standing Order</p> <p>This SO enables the committee to give the promoter additional time to provide further information to assist the committee in reporting on whether the Bill should proceed as a Private Bill.</p>
<p>26A.40 Any supplementary accompanying documents must be laid.</p>	<p>New Standing Order</p> <p>This SO requires any information provided in accordance with SO26A.39 to be laid.</p>
<p>26A.41 Once the committee has reported, the Business Committee</p>	<p>New Standing Order</p>

may table a motion that the Assembly agrees that the Bill should proceed as a Private Bill.	This SO requires that, once the committee has reported, the Business Committee may table a motion that the Assembly agrees the Bill proceed as a Private Bill.
26A.42 If a motion under Standing Order 26A.41 is agreed, the Bill proceeds to Detailed Committee Consideration.	New Standing Order This SO provides for the Bill to proceed to the next stage of consideration, 'Detailed Committee Consideration', if the motion tabled under the previous Standing Order is agreed.
26A.43 If a motion under Standing Order 26A.41 is not agreed, the Bill falls.	New Standing Order This SO provides for the Bill to fall if a motion tabled under SO26A.41 is not agreed.
26A.44 Initial Consideration is completed when the Assembly has agreed that the Bill should proceed as a Private Bill or the Bill falls as part of Initial Consideration.	Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.

Item 2 (v): Detailed Committee Consideration (SO26A.45 – 26A.70)

Detailed Committee Consideration	New sub-heading Follows format of sub heading in SO26.
26A.45 Detailed Committee Consideration starts on the first working	New Standing Order

<p>day after Initial Consideration is completed.</p>	<p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.46 Proceedings at Detailed Committee Consideration must be considered by the committee established in accordance with Standing Order 26A.25 which considered Initial Consideration proceedings on the Private Bill.</p>	<p>New Standing Order This SO provides for the Private Bill Committee that considered the Private Bill at Initial Consideration to consider the Bill at Detailed Committee Consideration.</p>
<p>26A.47 At Detailed Committee Consideration, the committee must:</p> <ul style="list-style-type: none"> (i) consider and report on the general principles of the Private Bill; (ii) consider and report on any admissible objections, other than any objection that, in the opinion of the committee, does not have substantial grounds; and (iii) consider the detail of the Private Bill in accordance with Standing Orders 26A.54 to 26A.70 (including any admissible amendments). 	<p>New Standing Order This SO sets out the role of the Private Bill Committee at Detailed Committee Consideration, i.e. to consider and report on the general principles of the Private Bill and any admissible objections, and then to undertake line-by-line scrutiny of the Bill and dispose of any admissible amendments. The following SOs set out the process by which the Committee must carry out these functions, including reporting on the general principles and objections before moving on to consider and dispose of amendments.</p>
<p>26A.48 The following persons are entitled to be heard before the committee in person, or may be represented:</p> <ul style="list-style-type: none"> (i) the promoter; (ii) any objector (subject to Standing Order 26A.51) who has submitted an admissible objection that the committee 	<p>New Standing Order This SO sets out the categories of persons that are entitled to be heard before the committee and to participate in proceedings.</p>

<p>considers has substantial grounds; (iii) a member of the government; and may participate in proceedings in accordance with any rulings of the Chair.</p>	
<p>26A.49 The Chair may, when ruling on the way in which an objector (or other person) may participate in proceedings, take into account the nature of the objection or other representation and the extent to which the nature of that participation is necessary in order to enable the committee to consider and report on the objection.</p>	<p>New Standing Order This SO enables the Chair to take account of the various factors, set out in the SO, when ruling on the way in which an objector can participate in proceedings.</p>
<p>26A.50 The committee may invite such other persons to give evidence as it considers appropriate.</p>	<p>New Standing Order This SO enables the committee to call persons other than those listed in Standing Order 26A.48 to give evidence, should it consider it appropriate to do so.</p>
<p>26A.51 Where the committee considers that two or more objections are the same or similar, it may group those objections together and choose one or more objectors from that group to give evidence and otherwise to participate in relation to those objections.</p>	<p>New Standing Order This SO enables the committee to group similar objections for the purpose of inviting objectors to give evidence.</p>
<p>26A.52 If the committee, in preparing its report under Standing Order 26A.47(i) and (ii), intends to recommend a change to the Private Bill and such a change, if made, would, in the opinion of the committee, affect the interests of other persons referred to in Standing Order</p>	<p>New Standing Order This SO applies where, in preparing its report on the general principles to the Private Bill and objections, the committee intends to recommend a change to the Bill that would impact on the interests of</p>

<p>26A.53, the committee may take such action as it considers appropriate in order to ensure that those other persons have a reasonable opportunity to make representations to the committee in relation to that recommendation.</p>	<p>“other persons” (defined in SO26A.53).</p> <p>In this case, the committee is able to take appropriate action to ensure those other persons have a reasonable opportunity to make representations to the committee about that recommendation.</p> <p>Such action may include asking the promoter to publish a new notice and to allow a new period during which objections to the proposed change may be submitted.</p>
<p>26A.53 For the purpose of Standing Order 26A.52, “other persons” means:</p> <ul style="list-style-type: none"> (i) persons whose interests were not affected by the Private Bill as introduced but whose interests would be affected if the proposed changes were made to the Private Bill, or (ii) existing objectors whose interests would be affected to a greater extent or in new ways if the proposed changes were made to the Private Bill, giving rise to new substantial grounds for objection. 	<p>New Standing Order</p> <p>This SO defines “other persons” for the purpose of the previous Standing Order.</p>
<p>26A.54 A Private Bill may be amended at Detailed Committee Consideration.</p>	<p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.55 At least 25 working days must elapse between the day on which the report under Standing Order 26A.47(i) and (ii) is laid and the date of the first meeting at which the committee considers the</p>	<p>New Standing Orders</p> <p>Standing Orders 26A.55-26A.60 are related.</p>

<p>detail of the Private Bill in accordance with Standing Order 26A.47(iii).</p>	<p>SO 26A.55 provides for 25 working days to elapse between the day on which the committee report on the general principles and objections is laid and the first meeting of the committee to dispose of amendments to the Private Bill.</p>
<p>26A.56 No later than five working days after the committee’s report is laid, any Member may table a motion that the Private Bill does not proceed any further.</p>	<p>During this 25 working day period—</p>
<p>26A.57 If no motion is tabled under Standing Order 26A.56, the general principles of the Private Bill are to be deemed agreed by the Assembly and the committee must proceed to dispose of amendments to the Private Bill, in accordance with Standing Order 26A.47(iii).</p>	<p>i. within the first 5 working days, any Member may table a motion that the Private Bill does not proceed any further (SO 26A.56). It is envisaged that, where the Committee has recommended that the general principles of the Private Bill are not agreed, a member of the committee would table such a motion in order to gain the Assembly’s endorsement of that view;</p>
<p>26A.58 Time must be made available for a motion tabled under Standing Order 26A.56 to be debated within 10 working days of the date that the motion was tabled (not counting working days in a non-sitting week).</p>	<p>ii. if no motion is tabled, the general principles of the Private Bill are deemed agreed by the Assembly (SO 26A.57). In this case, the Private Bill Committee is able to dispose of amendments to the Bill.</p>
<p>26A.59 If a motion tabled under Standing Order 26A.56 is agreed, the Private Bill falls.</p>	<p>iii. Where such a motion is tabled, the Business Committee must make time available, within 10 working days of the motion being tabled, for the Assembly to debate that motion (SO 26A.58). Working days in a non-sitting week do not count for the purpose of this Standing Order so as to avoid a debate being scheduled during a period of recess.</p>
<p>26A.60 If a motion tabled under Standing Order 26A.56 is not agreed, the general principles of the Private Bill are to be deemed agreed by the Assembly and the committee must proceed to dispose of amendments to the Private Bill in accordance with Standing Order 26A.47(iii).</p>	<p>iv. If a motion tabled under SO26A.56 is agreed, the Private Bill falls (SO26A. 59). If such a motion is not agreed, the general principles of the Private Bill are deemed agreed by the Assembly and the Committee must proceed to dispose of amendments to the Bill</p>

	(SO26A.60).
<p>26A.61 Amendments to be considered at Detailed Committee Consideration may be tabled no earlier than the first working day after the day on which the committee laid its report under Standing Order 26A.47(i) and (ii).</p>	<p>New Standing Order</p> <p>This SO provides that amendments to the Private Bill may be tabled from the first working day after the committee laid its report on the general principles and the objections.</p>
<p>26A.62 The Chair of the committee may in exceptional circumstances accept an amendment at Detailed Committee Consideration of which less notice has been given than is required under Standing Order 26A.97. Such an amendment is referred to as a “late amendment”.</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.63 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the Private Bill, unless the committee has decided otherwise.</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.64 Only a Member who is a member of the committee may participate in proceedings of that committee for the purpose of:</p> <ul style="list-style-type: none"> (i) moving or seeking agreement to withdraw an amendment; or (ii) voting. 	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.65 An amendment tabled by a Member who is not a member of the committee may be moved by a member of the committee.</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

<p>26A.66 Where any amendment is tabled to a section or schedule of the Private Bill, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is to be deemed agreed by the committee for the purpose of Detailed Committee Consideration proceedings.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.67 If no amendment is tabled to a section or schedule of the Private Bill, that section or schedule is to be deemed agreed by the committee for the purpose of Detailed Committee Consideration.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.68 Detailed Committee Consideration is completed when the last amendment has been disposed of or the last section or schedule has been deemed to be agreed, whichever is the later.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.69 If a Private Bill is amended at Detailed Committee Consideration so as to insert a section or schedule, or substantially alter any existing provision, the committee may request that the promoter prepare a revised Explanatory Memorandum.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.70 Any revised Explanatory Memorandum requested under Standing Order 26A.66 must be laid at least five working days before the date of the first meeting of the Assembly that considers Detailed Assembly Consideration proceedings.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

Item 2 (vi): Detailed Assembly Consideration (SO26A.71 – 26A.83)

Page 32

<p>Detailed Assembly Consideration</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.71 Detailed Assembly Consideration starts on the first working day after Detailed Committee Consideration is completed.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.72 At least 15 working days must elapse between the day on which Detailed Assembly Consideration starts and the date of the first meeting of the Assembly that considers Detailed Assembly Consideration proceedings.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.73 Detailed Assembly Consideration must be considered by the Assembly in plenary.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.74 A Private Bill may be amended at Detailed Assembly Consideration.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.75 Amendments to be considered at Detailed Assembly Consideration may be tabled by any Member from the first day on</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with</p>

<p>which the stage starts.</p>	<p>appropriate amendment.</p>
<p>26A.76 The Presiding Officer may select those amendments which are to be taken at Detailed Assembly Consideration.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.77 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the Private Bill, unless the Assembly has decided otherwise on a motion of the Business Committee (in accordance with Standing Order 11.7(ii)).</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.78 The Assembly may, on a motion without notice of the Business Committee (in accordance with Standing Order 11.7(ii)), agree to one or more time-limits that are to apply to debates on amendments (as they have been grouped by the Presiding Officer).</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.79 If a motion under Standing Order 26A.78 is agreed to, debates on those groups of amendments must be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer:</p> <ul style="list-style-type: none"> (i) as a consequence of the non-moving of an amendment leading to a change in the order in which groups are debated; or (ii) to prevent any debate on a group of amendments that has already begun when a time-limit is reached from being 	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

<p>unreasonably curtailed.</p>	
<p>26A.80 Amendments at Detailed Assembly Consideration are only admissible if, in addition to the criteria in Standing Order 26A.99, they are for the purpose of—</p> <ul style="list-style-type: none"> (i) clarifying the wording of a provision of a Private Bill (including removing inconsistencies in or between the English and Welsh texts), or (ii) giving effect to commitments given on behalf of the promoter at the Detailed Committee Consideration Stage, or (iii) giving effect to any recommendations made by the committee in its report under Standing Order 26A.47(i) and (ii). 	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills (SO26.41), with appropriate amendments. These include a reference to giving effect to recommendations of the committee in its report on the general principles of the Private Bill and the objections.</p> <p>The effect of this SO is to limit the types of amendments that can be tabled at Detailed Assembly Consideration to those that are either technical in nature, or give effect to commitments or recommendations made at the committee stage.</p>
<p>26A.81 Where any amendment is tabled to a section or schedule of the Private Bill, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is to be deemed agreed by the Assembly for the purpose of Detailed Assembly Consideration.</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.82 If no amendment is tabled to a section or schedule, that section or schedule is to be deemed agreed by the Assembly for the purpose of Detailed Assembly Consideration proceedings.</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.83 Detailed Assembly Consideration is completed when the last amendment has been disposed of or the last section or schedule has</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with</p>

been deemed to be agreed, whichever is the later.	appropriate amendment.
---------------------------------------------------	------------------------

Item 2 (vii): Final Stage and Reconsideration of Private Bills Passed (SO26A.84 – 26A.94)

Final Stage	New sub-heading Follows format of sub heading in SO26.
26A.84 The Final Stage of a Private Bill must be taken by the Assembly in plenary.	New Standing Order This SO confirms that the final stage of the process on a Private Bill must take place in plenary.
26A.85 Subject to Standing Order 26A.87, not earlier than five working days after the completion of Detailed Assembly Consideration any Member may table a motion that the Private Bill be passed.	New Standing Order Replicates provision in Standing Order 26 for Public Bills, except that this SO provides for 5 working days to pass between the completion of Detailed Assembly Consideration and the Final stage. The intention is to allow the promoter of the Private Bill some time to consider whether to progress the Bill to the final stage or to withdraw. Also, as the ‘Member in Charge’ of the Bill will not be present in the Chamber, this makes the moving of a motion without notice impractical.

<p>26A.86 A motion that a Private Bill be passed may not be amended.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.87 No motion that a Private Bill be passed may be moved unless the text of the Private Bill is available in both English and Welsh.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.88 No motion under Standing Order 12.31(ii) may be moved in any Final Stage proceedings.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>Reconsideration of Private Bills Passed</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.89 Any Member may, after the Private Bill is passed, by motion propose that the Assembly reconsider the Private Bill, or any provision of it, if:</p> <ul style="list-style-type: none"> (i) a question in relation to the Private Bill has been referred to the Supreme Court under section 112 of the Act; (ii) a reference for a preliminary ruling (within the meaning of section 113(1)(b) of the Act) has been made by the Supreme Court in connection with that reference; and 	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

<p>(iii) neither of those references has been decided or otherwise disposed of.</p>	
<p>26A.90 Any Member may by motion propose that the Assembly reconsider the Private Bill if:</p> <ul style="list-style-type: none"> (i) the Supreme Court decides that the Private Bill or any provision of it would not be within the legislative competence of the Assembly; or (ii) an order is made in relation to the Private Bill under section 114 of the Act. 	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.91 Proceedings at Reconsideration Stage must be considered by the Assembly in plenary.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.92 A Private Bill may not be amended at Reconsideration Stage unless in addition to the criteria in Standing Order 26A.99, and in the opinion of the Presiding Officer, the amendments are solely for the purpose of resolving the issue which is the subject of:</p> <ul style="list-style-type: none"> (i) the reference to the Supreme Court for a preliminary ruling; (ii) the decision of the Supreme Court; or (iii) the Order under section 114 of the Act. 	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

<p>26A.93 Unless the Assembly has decided, on a motion of the Business Committee, the order in which amendments are to be disposed of, they must be disposed of in the order in which the provisions to which they relate arise in the Private Bill.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.94 Any Member may propose that the Assembly approves a Private Bill amended on reconsideration. Such a motion may not be amended.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

Item 2 (viii): Amendments to Private Bills (SO26A.95 – 26A.104)

<p>Amendments to Private Bills</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.95 Standing Orders 26A.96 to 26A.104 apply to amendments in Detailed Committee Consideration proceedings, Detailed Assembly Consideration proceedings and Reconsideration Stage proceedings.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment</p>
<p>26A.96 The Presiding Officer must determine the proper form of amendments to a Private Bill.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with</p>

	appropriate amendment.
26A.97 No amendment, other than a late amendment, may be considered unless it has been tabled five working days before it is considered.	New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.
26A.98 Any Member may add his or her name to an amendment (other than a late amendment) by notifying the Clerk at any time until the end of the working day before the amendment is due to be considered.	New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.
26A.99 An amendment is not admissible if: <ul style="list-style-type: none"> (i) it is not in its proper form in accordance with Standing Order 26A.96; (ii) it is not relevant to the Private Bill or the provisions of the Private Bill which it would amend; (iii) it is inconsistent with the general principles as reported on by the committee and deemed agreed by the Assembly; (iv) it is inconsistent with a decision already taken at the stage at which the amendment is proposed. 	New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.
26A.100 An amendment may be tabled to an amendment and, if selected, must be disposed of before the amendment which it would amend and Standing Orders 26A.96 to 26A.104 must apply accordingly.	New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.

<p>26A.101 Subject to Standing Order 26A.64, an amendment (other than a late amendment) may be withdrawn by the Member who tabled it at any time before the day on which it is considered but only with the unanimous agreement of any Members who have added their names to the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the Member who first added his or her name to the amendment and who does not agree to the amendment being withdrawn.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.102 The Chair of the committee or the Presiding Officer, as the case may be, may group amendments for the purpose of debate as he or she sees fit. An amendment debated as part of a group may not be debated again when it comes to be disposed of.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.103 If a Member who tabled an amendment does not move the amendment when that amendment comes to be debated, the amendment may be moved:</p> <ul style="list-style-type: none"> (i) in the committee at Detailed Committee Consideration, by a member of the committee; or (ii) in Detailed Assembly Consideration or Reconsideration proceedings, by any other Member. 	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.104 An amendment which has been moved may be withdrawn by the Member who moved it, but only:</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with</p>

<p>(i) in the committee at Detailed Committee Consideration, if no member of the committee objects; or</p> <p>(ii) in Detailed Assembly Consideration or Reconsideration proceedings, if no Member objects.</p>	<p>appropriate amendment.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------

Item 2 (ix): Change of Promoter and Her Majesty's and Duke of Cornwall's Consent (SO26A.105 – 26A.112)

Page 41

<p>Change of Promoter</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.105 Standing Orders 26A.106 to 26A.111 apply where, before completion of Detailed Committee Consideration, the promoter no longer wishes or is no longer able to obtain the powers or benefits conferred by that Bill, and another individual, body corporate or unincorporated association of persons (“the new promoter”) wishes to obtain those powers or benefits.</p>	<p>New Standing Order This SO provides for Standing Orders 26A.106 to 26A.111 to apply to a change of promoter.</p>
<p>26A.106 The new promoter must, as soon as reasonably practicable, lay a memorandum setting out the reasons for, and the circumstances</p>	<p>New Standing Order This SO requires the new promoter to lay a memorandum relating to</p>

<p>of, the change of promoter.</p>	<p>the change of promoter.</p>
<p>26A.107 The committee must, taking account of the memorandum laid under Standing Order 26A.106 and any further information from the new promoter that it may require, consider the implications of the change of promoter for the rights and interests of the objectors, other persons and for the progress of the Private Bill.</p>	<p>New Standing Order</p> <p>This SO requires the committee to consider the implications of the change of promoter for the rights and interests of the objectors and for the progress of the Private Bill.</p>
<p>26A.108 The committee may, if it considers it appropriate in order to protect the rights or interests of objectors or other persons, or to ensure the proper scrutiny of the Private Bill:</p> <ul style="list-style-type: none"> (i) require the new promoter to lay supplementary accompanying documents ; (ii) require the new promoter to give such undertakings as the committee considers appropriate; (iii) require proceedings on the Private Bill at Detailed Committee Consideration, or part of those proceedings, to begin again; (iv) report to the Assembly on the implications of the change of promoter, with a recommendation that the Private Bill should not proceed with the new promoter. 	<p>New Standing Order</p> <p>This SO enables the committee to require certain documentation from the new promoter and such undertaking as the committee considers appropriate. It also enables the committee to require proceedings, or part of those proceedings, on the Private Bill to begin again and to report to the Assembly with a recommendation that the Private Bill should not proceed with the new promoter.</p>
<p>26A.109 A report under Standing Order 26A.108(iv) must be considered by the Assembly on a motion of the Chair of the committee.</p>	<p>New Standing Order</p> <p>This SO provides for a report of the committee under the previous Standing Order to be considered by the Assembly, on a motion of the</p>

	Chair.
26A.110 If a motion under Standing Order 26A.109 is agreed to, the Private Bill falls.	New Standing Order This SO provides for the Private Bill to fall if a motion under SO26A.109 is agreed to.
26A.111 If a motion under Standing Order 26A.109 is not agreed to, the committee or the Assembly must continue its consideration of the Private Bill.	New Standing Order This SO provides for the committee to continue its consideration of the Private Bill should a motion under SO26A.109 not be agreed to.
Her Majesty's and Duke of Cornwall's Consent	New sub-heading Follows format of sub heading in SO26.
26A.112 If a Private Bill contains provision, or is amended so as to include any provision, that would, if the Private Bill were a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, or the Duke of Cornwall, the Assembly must not debate the question whether the Private Bill be passed (or approved following Reconsideration) unless such consent to such a provision has been signified by a member of the government during proceedings on the Private Bill at a meeting of the Assembly.	New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.

Item 2 (x): Financial Resolutions (SO26A.113 – 26A.119)

<p>Financial Resolutions</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.113 The Presiding Officer must decide in every case whether a resolution is required for a Private Bill under Standing Orders 26A.114 and 26A.119.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.114 If a Private Bill contains a provision:</p> <ul style="list-style-type: none"> (i) which charges expenditure on the Welsh Consolidated Fund, or (ii) the likely effect of which would be to: <ul style="list-style-type: none"> (a) increase significantly expenditure charged on that Fund; (b) give rise to significant expenditure payable out of that Fund for a new service or purpose; or (c) increase significantly expenditure payable out of that Fund for an existing service or purpose, <p>no proceedings may be taken on the Private Bill at any Stage after the Private Bill Committee has reported in accordance with Standing Order 26A.47(i) and (ii) unless the Assembly has by financial resolution agreed to the expenditure or the increase in expenditure being charged on or, as the case may be, payable out of that Fund.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.115 If:</p>	<p>New Standing Order</p>

<p>(i) a Private Bill contains any provision which imposes or increases (or confers a power to impose or increase) any charge, or otherwise requires (or confers a power to require) any payment to be made; and</p> <p>(ii) the person to whom the charge or payment is payable is required, by or under section 120(1) of the Act, to pay sums received into the Welsh Consolidated Fund (or would be so required but for any provision made by or under section 120(2)),</p> <p>no proceedings may be taken on the Private Bill at any Stage after the Private Bill Committee has reported in accordance with Standing Order 26A.47(i) and (ii) unless the Assembly has by financial resolution agreed to the charge, increase or payment.</p>	<p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.116 Standing Order 26A.115:</p> <p>(i) applies only where the charge, increase in charge or payment is significant; and</p> <p>(ii) does not apply where the charge, increase in charge or payment is:</p> <p style="padding-left: 40px;">(a) in respect of the provision of goods and is reasonable in relation to the goods provided; or</p> <p style="padding-left: 40px;">(b) wholly or largely directed to the recovery of the cost of providing any service for which the charge is imposed or the payment requires to be made.</p>	<p>New Standing Order</p> <p>Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

<p>26A.117 Where the effect of an amendment (or amendments) to a Private Bill, if agreed to, would be that the Private Bill would require a financial resolution which it would not otherwise require, no proceedings may be taken on the amendment (or amendments) unless the Assembly has agreed to a motion for such a financial resolution.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.118 Only a member of the government may move a motion for a financial resolution. Such a motion cannot be amended.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.119 Unless:</p> <ul style="list-style-type: none"> (i) notice of a motion for any financial resolution required in relation to a Private Bill by Standing Orders 26A.114 or 26A.115 is tabled within 6 months of the date on which the Private Bill Committee has reported in accordance with Standing Order 26A.47(i) and (ii); and (ii) the motion is agreed to, <p>the Private Bill falls.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

Item 2 (xi): Notification of Royal Assent to Private Acts of the Assembly and Fall, Rejection or Withdrawal of Private Bills (SO26A.120 – 26A.123)

<p>Notification of Royal Assent to Private Acts of the Assembly</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.120 The Clerk must notify the Assembly of the date of Royal Assent to a Private Act of the Assembly.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>Fall, Rejection or Withdrawal of Private Bills</p>	<p>New sub-heading Follows format of sub heading in SO26.</p>
<p>26A.121 If a Private Bill falls or is rejected by the Assembly, no further proceedings may be taken on that Private Bill and a Private Bill which, in the opinion of the Presiding Officer, is in the same or similar terms must not be introduced in the same Assembly within the period of 6 months from the date on which the Private Bill fell or was rejected.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.122 A Private Bill falls if it has not been passed or approved by the Assembly before the end of the Assembly in which it was introduced.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>
<p>26A.123 A Private Bill may be withdrawn at any time by the Promoter.</p>	<p>New Standing Order Replicates provision in Standing Order 26 for Public Bills, with appropriate amendment.</p>

2 (xii) Consequential Changes to Standing Orders (SO15.1)

Page 48

STANDING ORDER 15 - Laying and Tabling Procedures	
<p>15.1 The following documents or categories of document may be laid before the Assembly:</p> <ul style="list-style-type: none"> (i) a document specified in any enactment as one which must or may be laid before the Assembly or a document which falls within the terms of section 86 of, or paragraphs 36 or 37 of Schedule 11 to, the Act; (ii) legislation or proposed or draft legislation required to be laid under Standing Orders 25, 26, 26A, 27 or 28; (iii) any report made by an Assembly committee and which that committee has agreed should be submitted to the Assembly, other than any report to which (iv) below applies; (iv) any other document specified elsewhere in Standing Orders which is required to be laid in accordance with the specific requirements in a Standing Order; and (v) any other document, or category of document, that the 	<p>Amend this Standing Order</p> <p>Sub-point (ii) amended to include legislation required to be laid under SO.26A as a category of document that may be laid before the Assembly.</p>

Assembly, by resolution in plenary, requires should be laid.	
--------------------------------------------------------------	--

Standing Order 26A - Private Acts of the Assembly

Private Bills

- 26A.1 For the purposes of Standing Order 26A, a Private Bill is a Bill introduced for the purpose of obtaining for an individual person, body corporate or unincorporated association of persons (“the promoter”) particular powers or benefits in excess of, or in conflict with, the general law.
- 26A.2 Standing Order 26A applies to any Private Bill other than one whose provisions are intended to authorise or facilitate any construction works or to authorise the compulsory acquisition of any estate or interest in or over land. For this purpose the transfer of any estate or interest in or over land forming part of the assets of a person or body exercising functions of a public nature to another person or body also exercising functions of a public nature is not to be regarded as involving the compulsory acquisition of such estate or interest.

Permission to Introduce a Private Bill

- 26A.3 Prior to introduction in accordance with Standing Order 26A.9, a Private Bill and the accompanying documents required by Standing Order 26A.12 must be submitted by the promoter to the Presiding Officer for a decision on whether to grant permission to introduce the Bill.
- 26A.4 The Presiding Officer must notify the promoter of his or her decision under Standing Order 26A.3 and, where permission is not given, must give the promoter reasons for that decision.
- 26A.5 A Private Bill must not be introduced without the prior agreement of the Presiding Officer.

Fees

- 26A.6 The Commission may charge fees for the introduction of a Private Bill, and for any subsequent stages of its consideration set out in Standing Order 26A.

Form and Introduction of Private Bills

- 26A.7 A Private Bill may be introduced on a working day in a sitting week.
- 26A.8 A Private Bill must be introduced by being laid by or on behalf of the promoter.
- 26A.9 A Private Bill must not be laid unless it is in proper form in accordance with any determinations made by the Presiding Officer.

- 26A.10 A Private Bill must on its introduction be accompanied by a statement in English and Welsh by the Presiding Officer which must:
- (i) indicate whether or not the provisions of the Bill would be, in his or her opinion, within the legislative competence of the Assembly; and
 - (ii) indicate any provisions which, in his or her opinion, would not be within the legislative competence of the Assembly and the reasons for that opinion.
- 26A.11 A Private Bill must be introduced in both English and Welsh except when not doing so is in accordance with any determinations made by the Presiding Officer under Standing Order 26A.9.

Documentation to Accompany a Private Bill

- 26A.12 At the same time as the promoter introduces a Private Bill, he or she must also lay an Explanatory Memorandum, in English and Welsh, which must:
- (i) state that, in the view of the promoter, the provisions of the Private Bill would be within the legislative competence of the Assembly;
 - (ii) set out the reasons why the provisions of the Bill make it appropriate for it to proceed as a Private Bill, having particular regard to the criteria in Standing Order 26A.38;
 - (iii) set out the objectives of the Private Bill;
 - (iv) set out whether alternative ways of achieving the objectives were considered and, if so, why the approach taken in the Private Bill was adopted;
 - (v) set out the consultation that was undertaken on:
 - (a) the objectives of the Private Bill and the ways of achieving them and;
 - (b) the detail of the Private Bill,together with a summary of the outcome of that consultation;
 - (vi) summarise objectively what each provision of the Private Bill is intended to do (to the extent that it requires explanation or comment) and give other information necessary to explain the effect of the Bill;

- (vii) include a Promoter's Statement that sets out:
- (a) in the case of a Private Bill that contains provision which will affect the property or the contractual rights or duties of any person other than the promoter, details of any notification of the proposed provision given by the promoter to such persons or classes of person whose property or contractual rights or duties will be affected and of any response received;
 - (b) in the case of a Private Bill where the promoter is a body corporate or an unincorporated association of persons, particulars of the formal decision of that body or association to promote the Private Bill and confirmation that the decision in question was made in accordance with the constitution of that body or association;
 - (c) in the case of a Private Bill that contains provision to confer powers upon or modify the constitution of any body corporate or unincorporated association of persons, other than the promoter, details of any notification of the proposed provision given by the promoter to that body corporate or unincorporated association of persons and of any response received.

Notification of the Introduction of a Private Bill

26A.13 As soon as a Private Bill has been introduced, the promoter must, taking into account any guidance published by the Presiding Officer, publicise appropriately, including publishing in at least one newspaper circulating throughout Wales (or, if the Private Bill relates only to one area of Wales, throughout that area), a notice stating:

- (i) the general effect of the Private Bill;
- (ii) that the Private Bill may be inspected at the Assembly and at one or more other places in Wales including, in the case of a Private Bill that relates only to one area of Wales, a place within that area;
- (iii) that persons who believe their interests would be adversely affected by the Private Bill can make an objection to the Presiding Officer within the period of 40 working days beginning on the day when the notice is first published in a newspaper ("the objection period");

- (iv) how to submit an objection and the information to be included in that objection, having regard to Standing Order 26A.18;
 - (v) that an objection may either request that the Private Bill not be approved or that changes be made to the Private Bill before it is approved;
 - (vi) that the person making an objection must comply with any guidance issued by the Presiding Officer in relation to making an objection.
- 26A.14 As soon as the promoter has complied with the requirements of Standing Order 26A.13, the promoter must give written notice of that fact to the Presiding Officer, giving particulars of:
- (i) how those requirements were complied with; and
 - (ii) the arrangements made by the promoter for ensuring that the Private Bill was able to be inspected (other than at the Assembly) in accordance with Standing Order 26A.13(ii).

Objections

- 26A.15 An individual person who, or a body corporate or unincorporated association of persons that, considers that their interests would be adversely affected by a Private Bill introduced in the Assembly (an “objector”) may make an objection to the Presiding Officer in writing, in accordance with notice given under Standing Order 26A.13, during the objection period specified in Standing Order 26A.13(iii).
- 26A.16 For the purpose of Standing Order 26A.15, a member of the government may also be an objector.
- 26A.17 The Presiding Officer must rule on whether an objection is admissible.
- 26A.18 An objection is admissible only if it:
- (i) complies with any guidance issued by the Presiding Officer under Standing Order 6.17 in relation to making an objection;
 - (ii) sets out the nature of the objection;
 - (iii) identifies the provisions of the Private Bill that give rise to the objection;
 - (iv) specifies how the objector’s interests would be adversely affected by the Private Bill.

- 26A.19 The Presiding Officer must notify the objector of his or her decision under Standing Order 26A.17 and, where an objection is ruled inadmissible, must give the objector reasons for that decision.
- 26A.20 After the objection period has expired, the Clerk must publish all admissible objections.
- 26A.21 If the Presiding Officer receives an objection after the expiry of the objection period but before the first meeting of Detailed Committee Consideration, and that objection is accompanied by a statement by the objector explaining the delay in submitting the objection, the Presiding Officer must decide whether he or she is satisfied that:
- (i) the objection is admissible, in accordance with Standing Order 26A.18;
 - (ii) the objector had good reason for not making the objection within the objection period;
 - (iii) the objector has made the objection as soon as reasonably practicable after the expiry of that period; and
 - (iv) consideration of such an objection would not be unreasonable having regard to the rights and interests of objectors and the promoter.
- 26A.22 If the Presiding Officer is so satisfied:
- (i) he or she must notify the objector of his or her decision;
 - (ii) the Clerk must publish the objection; and
 - (iii) the committee established in accordance with Standing Order 26A.25 must give consideration to the objection.
- 26A.23 If the Presiding Officer is not so satisfied, he or she must:
- (i) notify the objector of his or her decision, and
 - (ii) give the objector reasons for that decision.
- 26A.24 An objection may be withdrawn by the objector, in accordance with any guidance issued by the Presiding Officer.

Private Bill Committees

- 26A.25 After a Private Bill has been introduced, and once the objection period specified in Standing Order 26A.13(iii) has ended, the Assembly must consider a motion to establish a Private Bill Committee, in accordance with Standing Order 16.5.

- 26A.26 Standing Orders 17.3 and 17.7 apply to a Private Bill Committee except that it must consist of no fewer than four members.
- 26A.27 Any Member who has, or may be expecting to have, or to the Member's knowledge, the Member's partner or any dependent child has, or may be expecting to have, an interest required to be registered by Standing Order 2 that may be seen to prejudice the impartial consideration of a Private Bill, must not be a member of the committee established to consider that Bill.
- 26A.28 Any Member whose name is proposed for membership of a Private Bill Committee must inform the Business Committee of any interest of the kind referred to in Standing Order 26A.27 and also of any interest, other than such an interest, that he or she has or may be expecting to have, or which, to the Member's knowledge, the Member's partner or any dependent child of the Member has or may be expecting to have that, in the opinion of that Member, may be seen to prejudice the impartial consideration of the Private Bill.
- 26A.29 For the purpose of Standing Orders 26A.27 and 26A.28, the meanings of "partner" and "dependent child" are as defined in paragraph 4 of the Annex to Standing Order 2.
- 26A.30 Any information provided in accordance with Standing Order 26A.28 in relation to a Member whose name is proposed for membership of a Private Bill Committee must be published at the same time as the motion to establish that committee.
- 26A.31 A Each member of a Private Bill Committee must, before the first meeting of that committee, complete a course of relevant training as determined by the Presiding Officer.
- 26A.32 Each member of a Private Bill Committee must, at the first meeting of that committee, agree to act impartially, in that Member's capacity as a member of that committee, and to base decisions solely on the evidence and other information provided to that committee.
- 26A.33 Members of a Private Bill Committee must, other than in exceptional circumstances, attend all meetings of a Private Bill Committee.
- 26A.34 A member of a Private Bill Committee may not participate in any proceedings on a Private Bill unless:
- (i) all evidence relating to that Private Bill given orally during proceedings of the committee has been given in the presence of the Member, or

- (ii) with the agreement of the promoter and any objector to whom that evidence relates, that Member has viewed a recording or read a transcript of all evidence that was not given in the presence of the Member.

26A.35 Standing Orders 17.12, 17.17 and 17.48 do not apply to a Private Bill Committee.

26A.36 Standing Order 17.49 does not apply to a Private Bill Committee, except when the committee is considering proceedings on amendments.

Initial Consideration

26A.37 Once the objection period specified in Standing Order 26A.13(iii) has ended, the Business Committee must refer a Bill laid in accordance with Standing Order 26A.8 to the Private Bill Committee established in accordance with Standing Order 26A.25 (“the committee”), to consider and report on whether the Bill should proceed as a Private Bill.

26A.38 In considering whether a Bill should proceed as a Private Bill, the committee must consider whether:

- (i) the accompanying documents laid in accordance with Standing Order 26A.12 are, in the opinion of the committee, adequate to allow proper scrutiny of the Bill;
- (ii) adequate consultation was undertaken by the promoter prior to introduction of the Bill;
- (iii) the provisions of the Bill make it appropriate for it to be considered as a Private Bill in accordance with Standing Order 26A, having particular regard to:
 - (a) the extent to which its provisions affect issues of public policy;
 - (b) the extent to which its provisions amend or repeal other legislation;
 - (c) the size of the area to which it relates;
 - (d) the number and nature of the interests that it affects.

26A.39 If it appears to the committee that the accompanying documents are not adequate to enable the committee to report in accordance with Standing Order 26A.37, it may, before reporting on whether the Bill should proceed as a Private Bill, allow the promoter such reasonable period as the committee considers appropriate to provide any further information

the committee considers necessary (“supplementary accompanying documents”).

- 26A.40 Any supplementary accompanying documents must be laid.
- 26A.41 Once the committee has reported, the Business Committee may table a motion that the Assembly agrees that the Bill should proceed as a Private Bill.
- 26A.42 If a motion under Standing Order 26A.41 is agreed, the Bill proceeds to Detailed Committee Consideration.
- 26A.43 If a motion under Standing Order 26A.41 is not agreed, the Bill falls.
- 26A.44 Initial Consideration is completed when the Assembly has agreed that the Bill should proceed as a Private Bill or the Bill falls as part of Initial Consideration.

Detailed Committee Consideration

- 26A.45 Detailed Committee Consideration starts on the first working day after Initial Consideration is completed.
- 26A.46 Proceedings at Detailed Committee Consideration must be considered by the committee established in accordance with Standing Order 26A.25 which considered Initial Consideration proceedings on the Private Bill.
- 26A.47 At Detailed Committee Consideration, the committee must:
- (i) consider and report on the general principles of the Private Bill;
 - (ii) consider and report on any admissible objections, other than any objection that, in the opinion of the committee, does not have substantial grounds; and
 - (iii) consider the detail of the Private Bill in accordance with Standing Orders 26A.54 to 26A.70 (including any admissible amendments).
- 26A.48 The following persons are entitled to be heard before the committee in person, or may be represented:
- (i) the promoter;
 - (ii) any objector (subject to Standing Order 26A.51) who has submitted an admissible objection that the committee considers has substantial grounds;
 - (iii) a member of the government;

- and may participate in proceedings in accordance with any rulings of the Chair.
- 26A.49 The Chair may, when ruling on the way in which an objector (or other person) may participate in proceedings, take into account the nature of the objection or other representation and the extent to which the nature of that participation is necessary in order to enable the committee to consider and report on the objection.
- 26A.50 The committee may invite such other persons to give evidence as it considers appropriate.
- 26A.51 Where the committee considers that two or more objections are the same or similar, it may group those objections together and choose one or more objectors from that group to give evidence and otherwise to participate in relation to those objections.
- 26A.52 If the committee, in preparing its report under Standing Order 26A.47(i) and (ii), intends to recommend a change to the Private Bill and such a change, if made, would, in the opinion of the committee, affect the interests of other persons referred to in Standing Order 26A.53, the committee may take such action as it considers appropriate in order to ensure that those other persons have a reasonable opportunity to make representations to the committee in relation to that recommendation.
- 26A.53 For the purpose of Standing Order 26A.52, “other persons” means:
- (i) persons whose interests were not affected by the Private Bill as introduced but whose interests would be affected if the proposed changes were made to the Private Bill, or
 - (ii) existing objectors whose interests would be affected to a greater extent or in new ways if the proposed changes were made to the Private Bill, giving rise to new substantial grounds for objection.
- 26A.54 A Private Bill may be amended at Detailed Committee Consideration.
- 26A.55 At least 25 working days must elapse between the day on which the report under Standing Order 26A.47(i) and (ii) is laid and the date of the first meeting at which the committee considers the detail of the Private Bill in accordance with Standing Order 26A.47(iii).
- 26A.56 No later than five working days after the committee’s report is laid, any Member may table a motion that the Private Bill does not proceed any further.
- 26A.57 If no motion is tabled under Standing Order 26A.56, the general principles of the Private Bill are to be deemed agreed by the Assembly

- and the committee must proceed to dispose of amendments to the Private Bill, in accordance with Standing Order 26A.47(iii).
- 26A.58 Time must be made available for a motion tabled under Standing Order 26A.56 to be debated within 10 working days of the date that the motion was tabled (not counting working days in a non-sitting week).
- 26A.59 If a motion tabled under Standing Order 26A.56 is agreed, the Private Bill falls.
- 26A.60 If a motion tabled under Standing Order 26A.56 is not agreed, the general principles of the Private Bill are to be deemed agreed by the Assembly and the committee must proceed to dispose of amendments to the Private Bill in accordance with Standing Order 26A.47(iii).
- 26A.61 Amendments to be considered at Detailed Committee Consideration may be tabled no earlier than the first working day after the day on which the committee laid its report under Standing Order 26A.47(i) and (ii).
- 26A.62 The Chair of the committee may in exceptional circumstances accept an amendment at Detailed Committee Consideration of which less notice has been given than is required under Standing Order 26A.97. Such an amendment is referred to as a “late amendment”.
- 26A.63 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the Private Bill, unless the committee has decided otherwise.
- 26A.64 Only a Member who is a member of the committee may participate in proceedings of that committee for the purpose of:
- (i) moving or seeking agreement to withdraw an amendment; or
 - (ii) voting.
- 26A.65 An amendment tabled by a Member who is not a member of the committee may be moved by a member of the committee.
- 26A.66 Where any amendment is tabled to a section or schedule of the Private Bill, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is to be deemed agreed by the committee for the purpose of Detailed Committee Consideration proceedings.
- 26A.67 If no amendment is tabled to a section or schedule of the Private Bill, that section or schedule is to be deemed agreed by the committee for the purpose of Detailed Committee Consideration.

- 26A.68 Detailed Committee Consideration is completed when the last amendment has been disposed of or the last section or schedule has been deemed to be agreed, whichever is the later.
- 26A.69 If a Private Bill is amended at Detailed Committee Consideration so as to insert a section or schedule, or substantially alter any existing provision, the committee may request that the promoter prepare a revised Explanatory Memorandum.
- 26A.70 Any revised Explanatory Memorandum requested under Standing Order 26A.66 must be laid at least five working days before the date of the first meeting of the Assembly that considers Detailed Assembly Consideration proceedings.

Detailed Assembly Consideration

- 26A.71 Detailed Assembly Consideration starts on the first working day after Detailed Committee Consideration is completed.
- 26A.72 At least 15 working days must elapse between the day on which Detailed Assembly Consideration starts and the date of the first meeting of the Assembly that considers Detailed Assembly Consideration proceedings.
- 26A.73 Detailed Assembly Consideration must be considered by the Assembly in plenary.
- 26A.74 A Private Bill may be amended at Detailed Assembly Consideration.
- 26A.75 Amendments to be considered at Detailed Assembly Consideration may be tabled by any Member from the first day on which the stage starts.
- 26A.76 The Presiding Officer may select those amendments which are to be taken at Detailed Assembly Consideration.
- 26A.77 Amendments are to be disposed of in the order in which the sections and schedules to which they relate arise in the Private Bill, unless the Assembly has decided otherwise on a motion of the Business Committee (in accordance with Standing Order 11.7(ii)).
- 26A.78 The Assembly may, on a motion without notice of the Business Committee (in accordance with Standing Order 11.7(ii)), agree to one or more time-limits that are to apply to debates on amendments (as they have been grouped by the Presiding Officer).
- 26A.79 If a motion under Standing Order 26A.78 is agreed to, debates on those groups of amendments must be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer:

- (i) as a consequence of the non-moving of an amendment leading to a change in the order in which groups are debated; or
- (ii) to prevent any debate on a group of amendments that has already begun when a time-limit is reached from being unreasonably curtailed.

26A.80 Amendments at Detailed Assembly Consideration are only admissible if, in addition to the criteria in Standing Order 26A.99, they are for the purpose of—

- (i) clarifying the wording of a provision of a Private Bill (including removing inconsistencies in or between the English and Welsh texts), or
- (ii) giving effect to commitments given on behalf of the promoter at the Detailed Committee Consideration Stage, or
- (iii) giving effect to any recommendations made by the committee in its report under Standing Order 26A.47(i) and (ii).

26A.81 Where any amendment is tabled to a section or schedule of the Private Bill, once the final amendment to that section or schedule has been disposed of, that section or schedule as amended, or otherwise, is to be deemed agreed by the Assembly for the purpose of Detailed Assembly Consideration.

26A.82 If no amendment is tabled to a section or schedule, that section or schedule is to be deemed agreed by the Assembly for the purpose of Detailed Assembly Consideration proceedings.

26A.83 Detailed Assembly Consideration is completed when the last amendment has been disposed of or the last section or schedule has been deemed to be agreed, whichever is the later.

Final Stage

26A.84 The Final Stage of a Private Bill must be taken by the Assembly in plenary.

26A.85 Subject to Standing Order 26A.87, not earlier than five working days after the completion of Detailed Assembly Consideration any Member may table a motion that the Private Bill be passed.

26A.86 A motion that a Private Bill be passed may not be amended.

26A.87 No motion that a Private Bill be passed may be moved unless the text of the Private Bill is available in both English and Welsh.

26A.88 No motion under Standing Order 12.31(ii) may be moved in any Final Stage proceedings.

Reconsideration of Private Bills Passed

26A.89 Any Member may, after the Private Bill is passed, by motion propose that the Assembly reconsider the Private Bill, or any provision of it, if:

- (i) a question in relation to the Private Bill has been referred to the Supreme Court under section 112 of the Act;
- (ii) a reference for a preliminary ruling (within the meaning of section 113(1)(b) of the Act) has been made by the Supreme Court in connection with that reference; and
- (iii) neither of those references has been decided or otherwise disposed of.

26A.90 Any Member may by motion propose that the Assembly reconsider the Private Bill if:

- (i) the Supreme Court decides that the Private Bill or any provision of it would not be within the legislative competence of the Assembly; or
- (ii) an order is made in relation to the Private Bill under section 114 of the Act.

26A.91 Proceedings at Reconsideration Stage must be considered by the Assembly in plenary.

26A.92 A Private Bill may not be amended at Reconsideration Stage unless in addition to the criteria in Standing Order 26A.99, and in the opinion of the Presiding Officer, the amendments are solely for the purpose of resolving the issue which is the subject of:

- (i) the reference to the Supreme Court for a preliminary ruling;
- (ii) the decision of the Supreme Court; or
- (iii) the Order under section 114 of the Act.

26A.93 Unless the Assembly has decided, on a motion of the Business Committee, the order in which amendments are to be disposed of, they must be disposed of in the order in which the provisions to which they relate arise in the Private Bill.

26A.94 Any Member may propose that the Assembly approves a Private Bill amended on reconsideration. Such a motion may not be amended.

Amendments to Private Bills

- 26A.95 Standing Orders 26A.96 to 26A.104 apply to amendments in Detailed Committee Consideration proceedings, Detailed Assembly Consideration proceedings and Reconsideration Stage proceedings.
- 26A.96 The Presiding Officer must determine the proper form of amendments to a Private Bill.
- 26A.97 No amendment, other than a late amendment, may be considered unless it has been tabled five working days before it is considered.
- 26A.98 Any Member may add his or her name to an amendment (other than a late amendment) by notifying the Clerk at any time until the end of the working day before the amendment is due to be considered.
- 26A.99 An amendment is not admissible if:
- (i) it is not in its proper form in accordance with Standing Order 26A.96;
 - (ii) it is not relevant to the Private Bill or the provisions of the Private Bill which it would amend;
 - (iii) it is inconsistent with the general principles as reported on by the committee and deemed agreed by the Assembly;
 - (iv) it is inconsistent with a decision already taken at the stage at which the amendment is proposed.
- 26A.100 An amendment may be tabled to an amendment and, if selected, must be disposed of before the amendment which it would amend and Standing Orders 26A.96 to 26A.104 must apply accordingly.
- 26A.101 Subject to Standing Order 26A.64, an amendment (other than a late amendment) may be withdrawn by the Member who tabled it at any time before the day on which it is considered but only with the unanimous agreement of any Members who have added their names to the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the Member who first added his or her name to the amendment and who does not agree to the amendment being withdrawn.
- 26A.102 The Chair of the committee or the Presiding Officer, as the case may be, may group amendments for the purpose of debate as he or she sees fit. An amendment debated as part of a group may not be debated again when it comes to be disposed of.

- 26A.103 If a Member who tabled an amendment does not move the amendment when that amendment comes to be debated, the amendment may be moved:
- (i) in the committee at Detailed Committee Consideration, by a member of the committee; or
 - (ii) in Detailed Assembly Consideration or Reconsideration proceedings, by any other Member.
- 26A.104 An amendment which has been moved may be withdrawn by the Member who moved it, but only:
- (i) in the committee at Detailed Committee Consideration, if no member of the committee objects; or
 - (ii) in Detailed Assembly Consideration or Reconsideration proceedings, if no Member objects.

Change of Promoter

- 26A.105 Standing Orders 26A.106 to 26A.111 apply where, before completion of Detailed Committee Consideration, the promoter no longer wishes or is no longer able to obtain the powers or benefits conferred by that Bill, and another individual, body corporate or unincorporated association of persons (“the new promoter”) wishes to obtain those powers or benefits.
- 26A.106 The new promoter must, as soon as reasonably practicable, lay a memorandum setting out the reasons for, and the circumstances of, the change of promoter.
- 26A.107 The committee must, taking account of the memorandum laid under Standing Order 26A.106 and any further information from the new promoter that it may require, consider the implications of the change of promoter for the rights and interests of the objectors, other persons and for the progress of the Private Bill.
- 26A.108 The committee may, if it considers it appropriate in order to protect the rights or interests of objectors or other persons, or to ensure the proper scrutiny of the Private Bill:
- (i) require the new promoter to lay supplementary accompanying documents ;
 - (ii) require the new promoter to give such undertakings as the committee considers appropriate;
 - (iii) require proceedings on the Private Bill at Detailed Committee Consideration, or part of those proceedings, to begin again;

- (iv) report to the Assembly on the implications of the change of promoter, with a recommendation that the Private Bill should not proceed with the new promoter.

26A.109 A report under Standing Order 26A.108(iv) must be considered by the Assembly on a motion of the Chair of the committee.

26A.110 If a motion under Standing Order 26A.109 is agreed to, the Private Bill falls.

26A.111 If a motion under Standing Order 26A.109 is not agreed to, the committee or the Assembly must continue its consideration of the Private Bill.

Her Majesty's and Duke of Cornwall's Consent

26A.112 If a Private Bill contains provision, or is amended so as to include any provision, that would, if the Private Bill were a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, or the Duke of Cornwall, the Assembly must not debate the question whether the Private Bill be passed (or approved following Reconsideration) unless such consent to such a provision has been signified by a member of the government during proceedings on the Private Bill at a meeting of the Assembly.

Financial Resolutions

26A.113 The Presiding Officer must decide in every case whether a resolution is required for a Private Bill under Standing Orders 26A.114 and 26A.119.

26A.114 If a Private Bill contains a provision:

- (i) which charges expenditure on the Welsh Consolidated Fund, or
- (ii) the likely effect of which would be to:
 - (a) increase significantly expenditure charged on that Fund;
 - (b) give rise to significant expenditure payable out of that Fund for a new service or purpose; or
 - (c) increase significantly expenditure payable out of that Fund for an existing service or purpose,

no proceedings may be taken on the Private Bill at any Stage after the Private Bill Committee has reported in accordance with Standing Order 26A.47(i) and (ii) unless the Assembly has by financial resolution agreed to the expenditure or the increase in expenditure being charged on or, as the case may be, payable out of that Fund.

26A.115 If:

- (i) a Private Bill contains any provision which imposes or increases (or confers a power to impose or increase) any charge, or otherwise requires (or confers a power to require) any payment to be made; and
- (ii) the person to whom the charge or payment is payable is required, by or under section 120(1) of the Act, to pay sums received into the Welsh Consolidated Fund (or would be so required but for any provision made by or under section 120(2)),

no proceedings may be taken on the Private Bill at any Stage after the Private Bill Committee has reported in accordance with Standing Order 26A.47(i) and (ii) unless the Assembly has by financial resolution agreed to the charge, increase or payment.

26A.116 Standing Order 26A.115:

- (i) applies only where the charge, increase in charge or payment is significant; and
- (ii) does not apply where the charge, increase in charge or payment is:
 - (a) in respect of the provision of goods and is reasonable in relation to the goods provided; or
 - (b) wholly or largely directed to the recovery of the cost of providing any service for which the charge is imposed or the payment requires to be made.

26A.117 Where the effect of an amendment (or amendments) to a Private Bill, if agreed to, would be that the Private Bill would require a financial resolution which it would not otherwise require, no proceedings may be taken on the amendment (or amendments) unless the Assembly has agreed to a motion for such a financial resolution.

26A.118 Only a member of the government may move a motion for a financial resolution. Such a motion cannot be amended.

26A.119 Unless:

- (i) notice of a motion for any financial resolution required in relation to a Private Bill by Standing Orders 26A.114 or 26A.115 is tabled within 6 months of the date on which the Private Bill Committee has reported in accordance with Standing Order 26A.47(i) and (ii); and

- (ii) the motion is agreed to,
the Private Bill falls.

Notification of Royal Assent to Private Acts of the Assembly

26A.120 The Clerk must notify the Assembly of the date of Royal Assent to a Private Act of the Assembly.

Fall, Rejection or Withdrawal of Private Bills

- 26A.121 If a Private Bill falls or is rejected by the Assembly, no further proceedings may be taken on that Private Bill and a Private Bill which, in the opinion of the Presiding Officer, is in the same or similar terms must not be introduced in the same Assembly within the period of 6 months from the date on which the Private Bill fell or was rejected.
- 26A.122 A Private Bill falls if it has not been passed or approved by the Assembly before the end of the Assembly in which it was introduced.
- 26A.123 A Private Bill may be withdrawn at any time by the Promoter.

STANDING ORDER 15 - Laying and Tabling Procedures

- 15.1 The following documents or categories of document may be laid before the Assembly:
- (i) a document specified in any enactment as one which must or may be laid before the Assembly or a document which falls within the terms of section 86 of, or paragraphs 36 or 37 of Schedule 11 to, the Act;
 - (ii) legislation or proposed or draft legislation required to be laid under Standing Orders 25, 26, 26A, 27 or 28;
 - (iii) any report made by an Assembly committee and which that committee has agreed should be submitted to the Assembly, other than any report to which (iv) below applies;
 - (iv) any other document specified elsewhere in Standing Orders which is required to be laid in accordance with the specific requirements in a Standing Order; and
 - (v) any other document, or category of document, that the Assembly, by resolution in plenary, requires should be laid.